

REMARKS

Applicants acknowledge receipt of an Office Action dated January 3, 2008. In this response, Applicants have amended claims 1, 4, 6-8, and 11-20. Following entry of this amendment, claims 1-20 are pending in the application.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Rejection Under 35 U.S.C. § 102

On page 2 of the Office Action, the PTO has rejected claims 1-20 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent 3,752,132 to Bentz, *et al* (hereafter “Bentz”). Applicants traverse this rejection for at least the reason set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Here, Bentz fails to disclose a heat exchanger circuit arrangement “wherein the low temperature circuit is temporarily coupled to the engine cooling circuit in such a way that coolant passes from one circuit into the other circuit and back” as recited in independent claim 1.

Bentz discloses a dual cooling system “a single supply and expansion tank 41 operatively connected to the first and second closed circuit ... [which] has a vertically disposed wall or baffle means 42 secured therein to divide the tank’s chamber into substantially separated and isolated compartments 43 and 44.” Bentz, Col. 3, lns. 8-14. The two circuits of Bentz are closed circuits and are not coupled “in such a way that coolant passes from one circuit into the other circuit and back” as recited in claim 1.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under § 102.

CONCLUSION


Applicants believe that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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